

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RODERICK HERBERT,

Plaintiff,

v.

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY and DOES 1 to 20,
inclusive,

Defendants.

CASE NO. 4:06-CV-05532-SBA

**STIPULATION AND ORDER TO
CONTINUE NON-EXPERT DISCOVERY
DEADLINE FOR THE LIMITED
PURPOSE OF TAKING PLAINTIFF
RODERICK HERBERT'S DEPOSITION
ONLY**

All parties, by and through their respective counsel, hereby stipulate to continue the
deadline to complete non-expert discovery as follows:

I.
RECITALS

1. The parties have been working diligently toward moving this case forward in an
efficient, expeditious manner. The parties have exchanged written discovery and responses and
plaintiff Roderick Herbert ("Herbert") has completed his one noticed deposition of the person most
knowledgeable of defendant State Farm Mutual Automobile Insurance Company ("State Farm").

2. State Farm timely noticed Herbert's deposition for September 26, 2007.

3. On September 24, 2007, in the afternoon, Herbert's counsel, Craig Martin, advised
that he is unavailable for Herbert's deposition on September 26, 2007, and that he would not be
available until October 10, 2007.

4. The Scheduling Order in this matter currently provides for non-expert discovery to

be completed by October 1, 2007.

5. For this reason, the parties have agreed to stipulate to revise the Court's Scheduling Order to continue the non-expert discovery cut-off date to October 19, 2007, for the limited purpose of taking Herbert's deposition only. No other non-expert discovery can be conducted after the non-expert discovery deadline of October 1, 2007.

6. The parties do not seek to continue any other deadlines as set forth in the Court's previously revised Scheduling Order.

Accordingly, the parties hereby stipulate to revising the Scheduling Order to continue the discovery-cut off, for the limited purpose of taking Herbert's deposition only, as follows:

II. STIPULATION

The parties hereby stipulate to continue the non-expert discovery deadline from October 1, 2007 to October 19, 2007, for the limited purpose of taking the deposition of plaintiff Roderick Herbert only.

The Court's previously revised Scheduling Order otherwise remains in effect.

IT IS SO STIPULATED.

Dated: _____, 2007

LAW OFFICES OF CRAIG K. MARTIN

By _____
CRAIG K. MARTIN
Attorney for Plaintiff
RODERICK HERBERT

Dated: _____, 2007

HAYES DAVIS BONINO
ELLINGSON McLAY & SCOTT, LLP


By _____
STEPHEN M. HAYES
CHERIE M. SUTHERLAND
Attorneys for Defendant
STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY

I.
[PROPOSED] ORDER

In accordance with the Stipulation of the parties, the deadline for conducting non-expert discovery has been moved to October 19, 2007 for the limited purpose to taking plaintiff Roderick Herbert's deposition only.

The Court's previously revised Scheduling Order otherwise remains in effect.

Dated: 10/17/07



HON. SAUNDRA BROWN ARMSTRONG
UNITED STATES DISTRICT COURT JUDGE
FOR THE NORTHERN DISTRICT OF
CALIFORNIA